

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 11

ZHANG MEDICAL P.C. d/b/a  
NEW HOPE FERTILITY CLINIC,

Case No. 23-10678 (PB)

Debtor.  
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**ORDER TO SHOW CAUSE REGARDING FAILURE  
TO COMPLY WITH PCO ORDER**

WHEREAS on May 30, 2023, the Court entered an order [Docket No. 32] (the “PCO Order”) directing the United States Trustee to appoint a Patient Care Ombudsman pursuant to section 333 of the Bankruptcy Code;

WHEREAS on June 1, 2023, the United States Trustee filed its Appointment of Patient Care Ombudsman [Docket No. 37] (the “Appointment”), appointing David N. Crapo, Esq. (the “Ombudsman”) the Patient Care Ombudsman in the above-captioned bankruptcy case;

WHEREAS Section 333(b) of the Bankruptcy Code requires that “not later than 60 days after the date of the appointment, and not less frequently than at 60-day intervals thereafter, the Ombudsman shall report to the Court . . . at a hearing or in writing, regarding the quality of patient care provided to patients of the debtor”;

WHEREAS the PCO Order incorporates this requirement with one modification, providing that “not later than 30 days after the date of the appointment, and not less frequently than at 60-day intervals thereafter, the Ombudsman shall report to the Court . . . at a hearing or in writing, regarding the quality of patient care provided to patients of the Debtor”;

WHEREAS the Appointment filed by the United States Trustee also incorporates the obligations set forth in section 333(b);

WHEREAS one hundred and three (103) days have passed since the Appointment of the Ombudsman was entered, and the Ombudsman has not reported on the quality of patient care provided to patients of the Debtor, either at a hearing or in writing;

NOW THEREFORE, IT IS HEREBY

**ORDERED** that the Ombudsman David N. Crapo, Esq., is directed to appear before the undersigned on **Tuesday, September 19, 2023 at 1:00 p.m. (ET)**, via Zoom for Government,<sup>1</sup> to show cause why the Court should not enter an appropriate remedy, including an award of sanctions if warranted, for his failure to comply with his obligations to report on the quality of patient care pursuant to Bankruptcy Code § 333(b) and the PCO Order.

Dated: **New York, New York**  
September 12, 2023

/s/ Philip Bentley

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**Hon. Philip Bentley**  
**United States Bankruptcy Judge**

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<sup>1</sup> Parties that wish to appear at a Zoom hearing need to make an eCourtApperance through the Court's website, <http://www.nysb.uscourts.gov/ecourtappearances>. If you require assistance, please contact Judge Bentley's Chambers or Court services at 212-284-4040. The deadline to sign up for each hearing before Judge Bentley is 4:00 p m. the business day before a hearing is scheduled.